



## DECLARATION FOR PATENT APPLICATION

Attorney Docket No: T103 1530.1

As the below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe:

☐

I am the original, first and sole inventor

☒

I am an original, first and joint inventor

of the subject matter which is claimed and for which a patent is sought on the invention entitled

N-Aryl Diazaspiracyclic Compounds and Methods of Preparation and Use Thereof,

the specification of which:

☐

is attached hereto.

☒was filed on June 27, 2003 and was assigned  
Application Serial No. 10/607,930.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56.

I hereby claim the benefit under Title 35, United States Code, §119 of any United States provisional patent application, foreign application(s) for patent or inventor's certificate listed below and/or any international priority benefits under Title 35, United States Code, § 365 based on the following foreign and/or international application(s) listed below, and also identify below any United States provisional patent application, foreign and/or international application(s) for patent or inventor's certificate having a filing date before that of the above-identified application(s) on which priority is claimed:

Prior Application Number(s)	Country	Filing Date
60/394,337	US	July 5, 2002

I hereby claim the benefit under Title 35, United States Code, §120 of any United States patent application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Prior Application(s) Number(s)	Filing Date

Please address all telephone calls, in the first instance, to Carl B. Massey, Jr. at telephone number: (336) 721-3681.

Address all correspondence to: **Carl B. Massey, Jr.**  
**WOMBLE CARLYLE SANDRIDGE & RICE**  
**Post Office Box 7037**  
**Atlanta, Georgia 30357-0037**

**Customer No.:** **26158**

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statement and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

First Inventor's Signature Balwinder S. Bhatti Date: 11-04-2003  
Full Name of First Inventor: Balwinder S. Bhatti  
Residence 2636 Polo Road, Winston-Salem, NC 27106 Citizenship US  
Post Office Address 2636 Polo Road, Winston-Salem, NC 27106

Second Inventor's Signature Craig Harrison Miller Date: 11/4/03  
Full Name of Second Inventor: Craig Harrison Miller  
Residence 1564 Sharon Road, Winston-Salem, NC 27103 Citizenship US  
Post Office Address 1564 Sharon Road, Winston-Salem, NC 27103

Third Inventor's Signature Jeffrey Daniel Schmitt Date: 11/5/03  
Full Name of Third Inventor: Jeffrey Daniel Schmitt  
Residence 5619 Pineview Drive, Winston-Salem, NC Citizenship US  
Post Office Address 5619 Pineview Drive, Winston-Salem, NC



## POWER OF ATTORNEY FROM ASSIGNEE

Targacept, Inc., a Delaware Corporation, is Assignee of the entire right, title and interest for the United States of America (as defined in 35 U.S.C. § 100) of an invention known as N-ARYL DIAZASPIRACYCLIC COMPOUNDS AND METHODS OF PREPARATION AND USE THEREOF, which is disclosed and claimed in a patent application of the same title by reason of Assignments to the Assignee executed on \_\_\_\_\_, 2003, \_\_\_\_\_, 2003 and \_\_\_\_\_, 2003 by the inventors Balwinder Singh Bhatti, Craig Harrison Miller and Jeffrey Daniel Schmitt, respectively, said application filed June 27, 2003, at the U.S. Patent and Trademark Office, having Application No. 10/607,930.

The Assignee hereby appoints the following attorneys to prosecute this application and such division, continuation, and reissue applications thereof as are filed by them on behalf of the Assignee, and to transact all business in the U.S. Patent and Trademark office connected therewith:

LOUIS T. ISAF, Reg. No. 29,078  
STEVEN D. KERR, Reg. No. 32,472  
JOHN J. TIMAR, Reg. No. 32,497  
DAVID J. HAYZER, Reg. No. 43,329  
CARL B. MASSEY, JR., Reg. No. 44,224  
C. ROBERT RHODES, Reg. No. 24,200  
JEFFREY R. MCFADDEN, Reg. No. 46,916  
CRAIG H. POPALIS, Reg. No. 49,028  
PAUL KIMBALL, Reg. No. 34,601  
BARRY S. GOLDSMITH, Reg. No. 39,690  
KEATS A. QUINALTY, Reg. No. 46,426

JAMES F. VAUGHAN, Reg. No. 31,889  
D. SCOTT SUDDERTH, Reg. No. 34,026  
STEVEN L. SCHMID, Reg. No. 39,358  
DAVID S. BRADIN, Reg. No. 37,783  
THOMAS B. MCGURK, Reg. No. 44,920  
JACK B. HICKS, Reg. No. 34,180  
LEWIS S. ROWELL, Reg. No. 45,469;  
DALE C. HOGUE, SR., Reg. No. 32,823  
IAN A. CALVERT, Reg. No. 50,186  
NANDA K. ALAPATI, Reg. No. 39,893  
WILLIAM A. CAPP, Reg. No. 49,037

Assignee hereby grants said attorneys the power to insert on the Power of Attorney any further identification which may be necessary or desirable in order to comply with the rules of the U.S. Patent and Trademark Office.

Send Correspondence to:

Carl B. Massey, Jr.  
Womble Carlyle Sandridge & Rice, PLLC  
Post Office Box 7037  
Atlanta, Georgia 30357-0037

Direct phone calls to: (336) 721-3681  
Customer Number: 26158

FOR: Targacept, Inc.  
BY: William S. Caldwell, Ph.D.  
TITLE: Vice President, Drug Discovery and Development

SIGNATURE: *William S. Caldwell*  
DATE: 5 November, 2003



Certificate Under 37 C.F.R. § 3.73(b)

Applicants: Bhatti, et al.

Application No.: 10/607,930 Filed: June 27, 2003

For: N-ARYL DIAZASPIRACYCLIC COMPOUNDS AND METHODS OF PREPARATION  
AND USE THEREOF

Targacept, Inc

a corporation

(Name of Assignee)

(Type of Assignee, e.g. corporation, partnership, university, government agency, etc.)

certifies that it is the assignee of the entire right, title and interest in the patent application identified above by virtue of either:

A. ☒ An Assignment from the inventor(s) of the patent application identified above. The assignment was recorded in the Patent and trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

OR

B. ☐ A chain of title from the inventor(s), of the patent application identified above, to the current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or which a copy thereof is attached.
2. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or which a copy thereof is attached.
3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☐ Copies of assignments or other documents in the chain of title are attached.

The undersigned has reviewed all the documents in the chain of title of the patent application identified above and, to the best of undersigned's knowledge and belief, title is in the assignee identified above.

The undersigned (whose title is supplied below) is empowered to act on behalf of the assignee. I hereby declare that all statements made herein of my own knowledge are true, and that all statements are made on information and belief to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application of any patent issuing thereon.

Name: William S. Caldwell, Ph.D.

Date: 5 November, 2003

Title: Vice President, Drug Discovery & Development

Signature: William S. Caldwell

ASSIGNMENT

Whereas, we, Balwinder Singh Bhatti, 2636 Polo Road, Winston-Salem, North Carolina, Craig Harrison Miller, 1564 Sharon Road, Winston-Salem, North Carolina and Jeffrey Daniel Schmitt, 5619 Pineview Drive, Winston-Salem, North Carolina, have invented a new and useful Improvement in N-ARYL DIAZASPIRACYCLIC COMPOUNDS AND METHODS OF PREPARATION AND USE THEREOF, for which a provisional application was filed on July 5, 2002 and assigned Serial No. 60/394,337, and an application for United States Letters Patent was filed on June 27, 2003 and assigned Serial No. 10/607,930.

Now, THEREFORE, in consideration of One Dollar (\$1.00) and other good and valuable consideration paid to us by Targacept, Inc., a corporation organized under the laws of the State of Delaware, having a principal place of business at 200 East First Street, Suite 300, Winston-Salem, North Carolina 27101, the receipt whereof is hereby acknowledged, and in fulfillment of our pre-existing obligation of assignment, we do hereby assign, sell, and transfer unto the said Targacept, Inc., its successors and assigns, the entire right, title, and interest in said invention and application (including all inventions disclosed therein) for the United States and all countries foreign thereto, and any Letters Patent which may issue therefor in the United States and all countries foreign thereto and all divisions, reissues, continuations, extensions thereof. The Commissioner of Patents and Trademarks is requested to issue such Letters Patent in accordance herewith. We covenant that we are the lawful owners of the invention and application above mentioned, that the same are unencumbered, that no license has been granted to make, use, or sell the said invention, and that we have the full right to make this assignment, and agree that we will communicate to said assignee or its representatives any facts known to us respecting said invention, and will, upon request, testify in any interference proceedings, sign all lawful papers, execute all divisional, continuing, or reissue applications, make all rightful oaths, and generally do everything which in the opinion of said assignee or its attorneys may be reasonably required to aid said assignee to obtain full protection for said invention.

11-04-2003  
Date

B. S. Bhatti (SEAL)  
Balwinder Singh Bhatti

11/4/03  
Date

Craig Harrison Miller (SEAL)  
Craig Harrison Miller

11/5/03  
Date

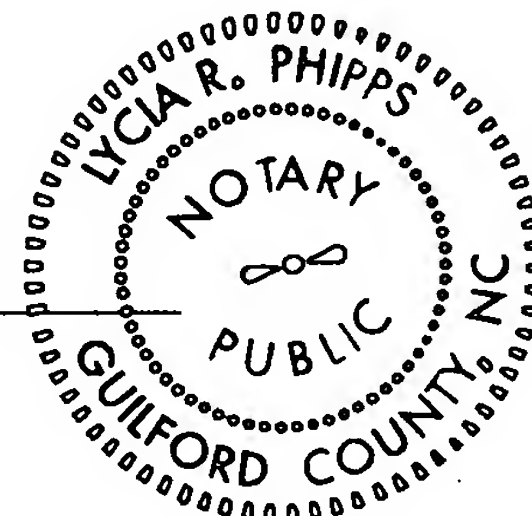
Jeffrey Daniel Schmitt (SEAL)  
Jeffrey Daniel Schmitt

State of North Carolina )  
: SS  
County of Forsyth )

Before me, a Notary Public for said County, personally appeared Balwinder Singh Bhatti, known to me to be the person who executed the foregoing instrument and acknowledged it to be his/her act and deed.

Witness my hand and seal this 4<sup>th</sup> day of November, 2003.

Lycia R. Phipps  
Notary Public

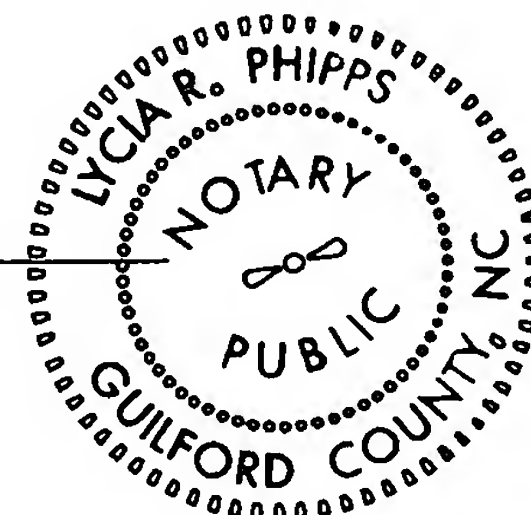


State of North Carolina )  
: SS  
County of Forsyth )

Before me, a Notary Public for said County, personally appeared Craig Harrison Miller, known to me to be the person who executed the foregoing instrument and acknowledged it to be his/her act and deed.

Witness my hand and seal this 4<sup>th</sup> day of November, 2003.

Lycia R. Phipps  
Notary Public



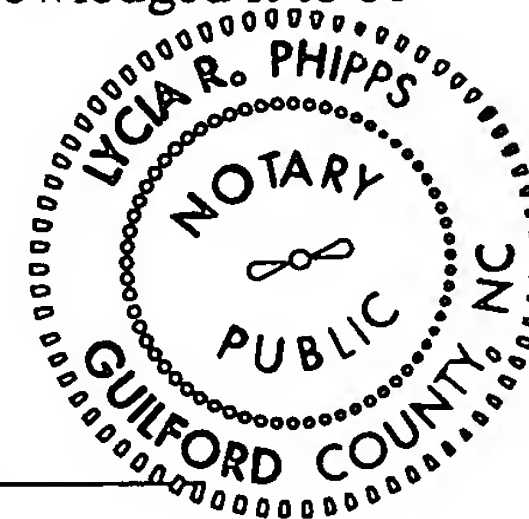


State of North Carolina                     )  
  : ss  
County of Forsyth                                 )

Before me, a Notary Public for said County, personally appeared Jeffrey Daniel Schmitt, known to me to be the person who executed the foregoing instrument and acknowledged it to be his/her act and deed.

Witness my hand and seal this 5<sup>th</sup> day of November, 2003.

Lycia R. Phipps  
Notary Public



Docket No.: T103 1530.1